REGEIVED CENTRAL FAX CENTER AUG 3 0 2006

## IN THE CLAIMS:

1. (Currently amended) A method for preparing a spinal disc space, comprising: inserting a body portion of a distractor into the spinal disc space with an upper surface of the body portion adjacent an endplate of an upper vertebra and a lower surface of the body portion adjacent an endplate of a lower vertebra, wherein the body portion includes at least one flange extending from a distal end of the body portion towards a proximal end of the body portion;

advancing a cutting instrument over the body portion between the at least one flange and the body portion to remove material between at least one of the upper and lower surfaces of the body portion and the adjacent vertebra; and

depositing cut material into a cavity formed in the body portion, the cavity opening toward at least one of the upper and lower surfaces.

- 2. (Original) The method of claim 1, wherein the cavity opens at each of the upper and lower surfaces.
- 3. (Original) The method of claim 2, further comprising advancing the cutting instrument over the body portion to remove material between the upper and lower surfaces of the body portion and each of the adjacent vertebra.
- 4. (Original) The method of claim 3, further comprising depositing cut material into the cavity through each of the openings of the body portion.

Amendment and Response to Final Office Action USSN 10/625,418 Atty Docket No. 4002-3363/PC459.06 Page 2 of 9

- 5. (Currently amended) The method of claim 1, wherein advancing the cutting instrument includes contacting the distal a distal end of the body portion to limit advancement of the cutting instrument into the disc space.
- 6. (Original) The method of claim 1, wherein inserting the body portion includes contacting the endplate of the upper and lower vertebrae with the adjacent one of the upper and lower surfaces of the body portion.
  - 7. (Original) The method of claim 1, further comprising: removing the cutting instrument and the body portion from the disc space; and inserting an implant in the spinal disc space.
- 8. (Currently amended) The method of claim 1, wherein the body portion includes a second flange opposite the at least one flange, the second flange extending from the distal end towards the proximal end of the body portion; and

advancing the cutting instrument includes advancing the cutting instrument over the body portion between the body portion and each of the flanges. at least one flange extending from a distal end of the body portion towards a proximal end of the body portion, and advancing the cutting instrument includes advancing the cutting instrument between the at least one flange and the body portion.

9. (Original) The method of claim 1, wherein advancing the cutting instrument

Amendment and Response to Final Office Action USSN 10/625,418 Atty Docket No. 4002-3363/PC459.06 Page 3 of 9

includes navigating the cutting instrument with image guidance.

Claims 10-15 (Cancelled)

and

16. (Currently amended) A method for preparing a spinal disc space, comprising: inserting a body portion of a distractor into the spinal disc space; advancing a cutting instrument over the body portion into the spinal disc space;

limiting advancement of the cutting instrument into the spinal disc space by contacting the cutting instrument with a distal end wall of the body portion, wherein advancing the cutting instrument includes advancing the cutting instrument between a first flange and a second flange of the distractor, each of the first and second flanges extending from a distal end of the body portion toward a proximal end of the body portion, each of the first and second flanges forming a slot along the body portion for receiving the cutting instrument.

17. (Original) The method of claim 16, wherein:

the distal end wall includes a first width; and

the cutting instrument includes an elongated shaft having a distal cutting end, the distal cutting end of the shaft configured to interfit with the body portion and includes a distally opening channel to receive the body portion of the distractor, the distal cutting end including a second width that is less than the first width.

Amendment and Response to Final Office Action USSN 10/625,418
Atty Docket No. 4002-3363/PC459.06
Page 4 of 9

Claim 18 (Cancelled)

19. (Currently amended) The method of claim 16, <u>further comprising depositing</u> cut material into a cavity formed in the body portion, the cavity opening toward at least one of upper and lower surfaces of the body portion, wherein advancing the outting instrument includes advancing the outting instrument between at least one flange of the distractor and the body portion of the distractor, the at least one flange extending from a distal end of the body portion towards a proximal end of the body portion and forming a slot along the body portion for receiving the cutting instrument.

20. (Original) The method of claim 16, further comprising: removing the cutting instrument and the body portion from the disc space; and inserting an implant in the spinal disc space.

21. (Original) The method of claim 16, wherein inserting the body portion includes contacting endplates of vertebrae adjacent the spinal disc space with an adjacent one of an upper surface and a lower surface of the body portion.

Claims 22-29 (Cancelled)

30. (New) A method for preparing a spinal disc space, comprising: inserting a body portion of a distractor into the spinal disc space;

Amendment and Response to Final Office Action USSN 10/625,418
Atty Docket No. 4002-3363/PC459.06
Page 5 of 9

advancing a cutting instrument over the body portion into the spinal disc space; and

limiting advancement of the cutting instrument into the spinal disc space by contacting the cutting instrument with a distal end wall of the body portion, wherein advancing the cutting instrument includes advancing the cutting instrument between at least one flange of the distractor and the body portion of the distractor, the at least one flange extending from a distal end of the body portion towards a proximal end of the body portion and forming a slot along the body portion for receiving the cutting instrument.

31. (New) The method of claim 30, wherein:

the distal end wall includes a first width; and

the cutting instrument includes an elongated shaft having a distal cutting end, the distal cutting end of the shaft configured to interfit with the body portion and includes a distally opening channel to receive the body portion of the distractor, the distal cutting end including a second width that is less than the first width.

32. (New) The method of claim 30, wherein advancing the cutting instrument includes advancing the cutting instrument between a first flange and a second flange of the distractor, each of the first and second flanges extending from the distal end of the body portion toward the proximal end of the body portion, each of the first and second flanges forming a slot along the body portion for receiving the cutting instrument.

Amendment and Response to Final Office Action USSN 10/625,418 Atty Docket No. 4002-3363/PC459.06 Page 6 of 9

- 33. (New) The method of claim 30, further comprising: removing the cutting instrument and the body portion from the disc space; and inserting an implant in the spinal disc space.
- 34. (New) The method of claim 30, wherein inserting the body portion includes contacting endplates of vertebrae adjacent the spinal disc space with an adjacent one of an upper surface and a lower surface of the body portion.
- 35. (New) The method of claim 30, further comprising depositing cut material into a cavity formed in the body portion, the cavity opening toward at least one of upper and lower surfaces of the body portion.